

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REYNALDO MATOS,

Index No. : 08 CV 2142 (CM)(KNF)

Plaintiff,

AFFIDAVIT OF SERVICE

-against-

THE CITY OF NEW YORK, LUIS
RODRIGUEZ, and JOHN AND JANE DOES,

Defendants.


State of New York)
) ss.:
County of New York)

Luis R. Ayala, being duly sworn, deposes and says that the deponent is not a party to this action, is over the age of eighteen years, is an independent process server (New York state license number 1024905), and resides in the State of New Jersey:

(1) That on the 3rd day of April 2008 at 5:30 p.m., deponent served an Amended Summons and Amended Complaint in the above-captioned matter upon Luis Rodriguez, at his place of employment, NYPD 40th Precinct, 257 Alexander Ave., Bronx, NY 10454. The documents were accepted and signed for by P.O. Serrano (#24041). P.O. Serrano was a light-skinned Latino, approximately 40 years old, 250 pounds, 5'7" tall.

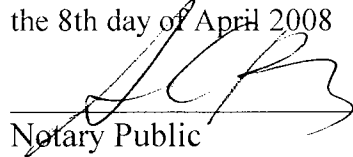
(2) That on the 8th day of April 2008, deponent mailed a true copy of the Amended Summons and Amended Complaint to defendant Luis Rodriguez to the same address he was served as identified in paragraph (1) above . The envelope was marked "Personal and Confidential" and without any indication that communication was from an attorney or concerned any action against the individual. The envelope was placed in a U.S. mailbox at the post office

located at 6th Ave. and 23rd Street, New York, NY 10011.



Luis R. Ayala
158 Carteret St., Glen Ridge, NJ 07028

Sworn to and Subscribed Before Me
the 8th day of April 2008



Notary Public

SUSAN C. BAILEY
NOTARY PUBLIC-STATE OF NEW YORK
No. 01BA6121503
Qualified in New York County
Commission Expires January 18, 2009

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN

District of

NEW YORK

REYNALDO MATOS

AMENDED

SUMMONS IN A CIVIL ACTION

V.

THE CITY OF NEW YORK, LUIS RODRIGUEZ,
AND JOHN AND JANE DOES

CASE NUMBER: 08 CV 2142 (CM)(KNF)

TO: (Name and address of Defendant)

Luis Rodriguez
40th Precinct
257 Alexander Avenue
Bronx, NY 10454

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael L. Spiegel
111 Broadway, Suite 1305
New York, NY 10006

24041 Second
4/3/08

an answer to the complaint which is served on you with this summons, within twenty days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

[Signature]

(By) DEPUTY CLERK

MAR 14 2008

DATE

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	
NAME OF SERVER (<i>PRINT</i>)	TITLE	
<i>Check one box below to indicate appropriate method of service</i>		
<div style="margin-bottom: 10px;"> <input type="checkbox"/> Served personally upon the defendant. Place where served: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: </div> <div style="margin-bottom: 10px;"> <input type="checkbox"/> Returned unexecuted: </div> <div> <input type="checkbox"/> Other (specify): </div>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p style="text-align: center;">I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> Executed on _____ <div style="text-align: center; margin-top: 5px;">Date</div> </div> <div style="width: 60%;"> _____ <div style="text-align: center; margin-top: 5px;">Signature of Server</div> _____ <div style="text-align: center; margin-top: 5px;">Address of Server</div> </div> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.